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SUBJECT: GOVERNMENT RELEASES POLITICAL PRISONER ON
WASHINGTON PRESSURE

SUMMARY

1. (SBU) Seven days after Assistant Secretary of State for Democracy, Rights, and Labor David Kramer asked senior Ethiopian Government (GoE) officials to grant political detainee Assefa Abraha parole in accordance with standard Ethiopian judicial practice, the GoE released the former senior official on July 31 after over seven years in prison. The release highlights the effectiveness of respectful and private, yet clear and direct, bilateral engagement by senior USG officials in pressing the GoE on adhering to the rule of law in managing domestic political space. End Summary.

BACKGROUND

2. (SBU) Prior to the 2001 rift within the ruling Tigrayan People's Liberation Front's (TPLF) Central Committee, Assefa Abraha headed the office of Government Development Organizations in the Office of the Prime Minister and served from 1995-2001 as the Chairman of the Board of the Ethiopian Privatization Agency. After opposing the Prime Minister in 2001, former Defense Minister (and now independent political opposition leader) Seeye Abraha and four of his siblings, including Assefa Abraha, were imprisoned and prosecuted on corruption charges in May 2001. Despite Assefa's non-guilty plea, the Ethiopian High Court finally convicted him in July 2007 on two charges for selling two GoE organizations slated for privatization below their market value. The court sentenced Assefa to nine years in prison. The fact that Assefa, his brother Seeye, three other siblings, and several other former senior GoE officials who opposed the Prime Minister in 2001 were immediately and systematically imprisoned and convicted of corruption -- combined with the fact that the sale of the two properties for which Assefa was convicted was approved by the entire nine-member Board of the Privatization Agency and approved by the Prime Minister -- give credence to the view that these detentions and convictions were politically motivated.

USG INTERVENTION

3. (SBU) While Seeye Abraha and his other siblings were released in 2007, Assefa remained in prison. Standard Ethiopian judicial practice dictates that Ethiopian convicts shall be released on parole upon serving two-thirds of their sentence with good behavior. Despite having served two-thirds of his sentence by May 2007 -- two months prior to his final conviction and sentencing -- Assefa was never

subjected to a parole review. Members of the diplomatic community have hypothesized that by continuing to hold Assefa, the GoE effectively kept his brother Seeye from taking too strong of a stance in opposition politics. (Note: Seeye has explicitly told Ambassador and EmbOffs that Assefa's sustained detention has impeded him from taking a more formal opposition political role or from joining an established opposition party. End Note). Since being released Seeye has actively sought USG support to urge the GoE to grant Assefa parole and to protest the 24-hour surveillance focused on himself. Ambassador Yamamoto has raised the case with Prime Minister Meles twice in recent months.

¶4. (SBU) Seeye conveyed Assefa's case to DRL A/S Kramer on July 23, requesting Kramer's intervention. On July 24, A/S Kramer and Pol/Econ Chief raised the case with EPRDF Central Committee member and Senior Advisor to the Prime Minister Bereket Simon. In response to A/S Kramer's inquiry whether there was a possibility of positive GoE consideration for Assefa's case, Bereket argued that the judiciary decided Assefa's case, found him guilty of corruption, and the GoE had no right to intervene. Bereket went on to argue that if the GoE were to consider "pardoning" someone convicted of corruption, it would have to do so for all such convicts and not on a case-by-case basis. Pol/Econ Chief interjected to clarify that the USG was not requesting a pardon for Assefa, but rather that he be subjected to the same standard judicial practice of granting parole to those convicts who have served over two-thirds of their sentences with good behavior. With this additional detail about the case, Bereket conceded that

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Assefa's parole case should be considered. Seven days later, on July 31, prison officials called Assefa to the administrative office to inform him of his immediate release.

COMMENT

¶5. (SBU) The release of Assefa Abraha highlights the effectiveness of respectful and private, yet clear and direct, bilateral engagement by senior USG officials in pressing the GoE on adhering to the rule of law in managing domestic political space. Bereket's tactic of attempting to redirect the conversation by presenting not-wholly-accurate or relevant details, however, is also a recurring dynamic in senior GoE dialogue with visiting USG officials. By distracting USG interlocutors with obscure and stylized details about any given case, GoE officials often succeed in deflecting pressure by visiting USG principals away from the fundamental issues at hand. In the case of Assefa Abraha, the combination of senior Washington engagement along with the familiarity of the details of the case presented by Embassy staff presented the necessary mix to secure a positive result. End Comment.
YAMAMOTO